IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE M.RAMACHANDRAN

MONDAY, THE 1ST JANUARY 2007 / 11TH POUSHA 1928

W.A.No.8 of 2007

AGAINST THE ORDER IN I.A.NO.14710/06 IN W.P.(C).9927/2006 DATED 18/10/2006.

.....

APPELLANT/4TH RESPONDENT:-

SAROJINI, AGED 72 YEARS,
W/O.CHELLAPPAN, THUNDIVILA VEEDU,
NEDUNGOLAM P.O., KOLLAM DISTRICT.

BY ADV. SRI.K.ABDUL JAWAD.

RESPONDENTS/PETITIONER & RESPONDENTS 1 TO 3:-

1. G.BHAGAVATH SINGH, SAROJ GANGA,
NEDUNGOLAM P.O., KOLLAM DISTRICT.

2. THE DISTRICT COLLECTOR, KOLLAM.

3. THE REVENUE DIVISIONAL OFFICER, KOLLAM.

4. THE GEOLOGIST,
DISTRICT MINING & GEOLOGY, KOLLAM.

R1 BY ADV.SRI.G.BHAGAVATH SINGH (PARTY-IN-PERSON)

R2 TO R4 BY GOVERNMENT PLEADER SRI.T.B.HOOD.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 01/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

V.K.Bali,C.J. & M.Ramachandran,J.

W.A.No.8 of 2007 & C.M.Appln.No.6 of 2007

Dated, this the 1st day of January, 2007

JUDGMENT

V.K.Bali,C.J. (Oral)

Delay condoned.

2. In a concluded matter, learned Single Judge on an application filed by the petitioner in the original lis only extended the time for removing the laterite stones. The learned counsel for the appellant, however, contends that the order passed in the writ petition was subject matter of challenge, in which the depth of the area from where the stone could be removed was limited and the extension of time should be only with regard to such area as mentioned by the appellate Court. There cannot be any exception to the contention raised by the counsel for the appellant. The extension of time could be only limited to a final order passed in the writ petition.

With the observation as made above, the Writ Appeal is disposed of.

V.K.Bali
Chief Justice

M.Ramachandran
Judge

vku/-